

REMARKS

This Response is submitted in reply to the Office Action dated December 13, 2007. Claims 15-32 are pending in the present application. Claims 16, 18-19, 23-25, 27-28 and 32 have been amended. Claims 15, 19, 24, and 28 are in independent form. No new matter has been introduced as a result of the amendments. Favorable reconsideration is respectfully requested. A Supplemental Information Disclosure Statement is submitted with this Response. Enclosed is a One-Month Extension of Time to reply to the Office Action. Please charge deposit account 02-1818 for all fees due in connection with this Response.

The Office Action rejected claims 15-32 under 35 U.S.C. §103(a) as being unpatentable over Sheha et al. (US Pub. 20030016804) in view of Straub (US 7,142,900). Applicant respectfully disagrees with, and traverses, such rejection.

Regarding independent claims 15, 19, 24, and 28, the Office Action concedes that a “talk button” is not disclosed in Sheha, but states that “Straub teaches a talk button (fig. 2, PTT 38, col. 6, line 64 to col. 7, line 21).” However, Straub does not disclose, teach, or suggest “receiving a message at a first terminal device indicating that a user of a second terminal device has pressed a talk button, the message including a geographical location of the second terminal device,” as currently recited in independent claim 15. Straub discloses a push-to-talk button triggering a transmission of a signal with geographical location data, in several different embodiments. Straub discloses that “the push-to-talk button 38 is operable to both initiate transmission of voice communications and transmission of a radio signal indicative of a GPS-derived location of the unit.” (See Straub, Col. 5, lines 16-19) Straub also discloses that “pressing the push-to-talk button 38 also triggers the transmission of a radio signal with GPS-derived location data indicative of the location of the unit 10.” (See Straub, Col. 5, lines 24-26) However, this does not disclose, teach, or suggest that the same message includes signals to do both (1) “initiat[ing] transmission of [voice] communications” and (2) “transmission of a radio signal indicative of GPS derived location of the unit.” Thus, Straub does not disclose, teach, or suggest “receiving a message at a first terminal device indicating that a user of a second terminal device has pressed a talk button, the message including a geographical location of the second terminal device,” as currently recited in independent claim 15.

Straub discloses several different alternatives for the instance at which location data is transmitted. Straub states that “[w]hen a user pushes the push-to-talk button, location data for

the unit is automatically transmitted either before or after the button is released." (See Straub, Col. 2, lines 64-67) Straub states that "the location data or other data is transmitted after the push-to-talk button 38 has been pushed and then released so that the data does not interfere with transmitted voice communications." (See Straub, Col. 5, lines 33-36) Straub also states "the location data is transmitted immediately after the push-to-talk button 38 is first pressed ... preferably transmit the location data within a pre-determined time after the push-to-talk button 38 has been pressed to minimize interference with subsequent voice communications ... for example, 100-300 milliseconds." (See Straub, Col. 5, lines 57-63) Clearly, transmitting the location data and the voice initiation at different times requires multiple messages. Accordingly, Straub does not disclose, teach, or suggest the same message "indicating that a user of a second terminal device has pressed a talk button" and "including a geographical location."

As an alternative method of transmitting the data, Straub discloses "divid[ing] the available bandwidth into a voice portion and a data portion so that voice and data may be communicated simultaneously." (See Straub, Col. 7, lines 6-9) The voice portion and data portion are divided by this method, and thus, are not transmitted in the same message as required by independent claim 15. As another alternative, "the entire communication channel could be used for voice communication except for periodic interruptions during which a burst of location data is sent." (See Straub, Col. 7, lines 11-13) The simultaneous transmission of the voice data and location data shown in Straub does not disclose, teach, or suggest any way for the initiation of the voice transmission and the transmission of location data to occur in the same message. Accordingly, Straub does not disclose, teach, or suggest "receiving a message at a first terminal device indicating that a user of a second terminal device has pressed a talk button, the message including a geographical location of the second terminal device;" as currently recited in independent claim 15.

The cited portions of Sheha do nothing to supplement Straub with respect to disclosing, teaching, or suggesting "receiving a message at a first terminal device indicating that a user of a second terminal device has pressed a talk button, the message including a geographical location of the second terminal device;" as currently recited in independent claim 15. Therefore, Sheha in combination with Straub, do not disclose, teach, or suggest all of the limitations of independent claims 15 as currently claimed.

The limitations of independent claims 19, 24, and 28 are not disclosed, taught, or suggested by Sheha in combination with Straub for the same reasons provided above for claim 15. Independent claim 19 recites "writing information into a message, in response to a user of a first terminal device pressing a talk button, the information indicating the user pressed the talk button and describing a geographical location of the first terminal device." Independent claim 24 recites "a receiver, the receiver receiving a message indicating that a user of a further terminal device has pressed a talk button, the message including a geographical location of the further terminal device." Independent claim 28 recites "a message generator, the message generator writing information into a message, responsive to a user of the terminal device pressing a talk button, the information indicating the user pressed the talk button and describing a geographical location of the terminal device." Accordingly, for each of claims 19, 24, and 28, the message includes in some similar fashion both (1) an indication that the talk button has been pressed and (2) a geographic location. Therefore, claims 19, 24, and 28 each include limitations not disclosed, taught, or suggested by Sheha in combination with Straub for the same reasons as provided above in relation to independent claim 15. Therefore, Sheha in combination with Straub, do not disclose, teach, or suggest all of the limitations of independent claims 19, 24, and 28 as currently claimed.

All of the other pending claims depend from independent claims 15, 19, 24, and 28, and the Office Action relies on Sheha in combination with Straub as the basis of rejection for all of the rejected claims. Therefore, Applicant asserts that dependent claims 16-18, 20-23, 25-27, and 29-32 are now in condition for allowance.

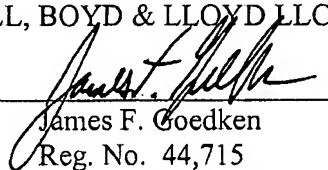
For all the reasons provided above, Applicant submits that all of the claims are in condition for allowance. An earnest endeavor has been made to place this application in condition for formal allowance and such action is courteously solicited. If the Examiner has any questions regarding this Response, applicant respectfully requests that the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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BY


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